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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/667,904	09/16/2003	Kevin L. Corcoran	021919-001010US	8197
20350	7590	04/27/2005	EXAMINER	
TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			YAN, REN LUO	
		ART UNIT	PAPER NUMBER	
		2854		

DATE MAILED: 04/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

11A

Office Action Summary	Application No.	Applicant(s)
	10/667,904	CORCORAN ET AL.
	Examiner	Art Unit
	Ren L. Yan	2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extension of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 06 April 2005.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 1-22 and 24 is/are allowed.
- 6) Claim(s) 23 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____

DETAILED ACTION

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hirano(5,722,319) in view of Hough(2,029,567) and McLaughlin et al(4,979,613). The patent to Hirano teaches an embossing system as claimed including a sleeve or a force transfer assembly having a first part and a second part, or a first cover 341 and second cover 342, an embossing die pair with male die 320 and female die 310 positioned between the first cover and the second cover so as to sandwich an embossing material X therebetween to enable an image pattern to be embossed on the embossing material X when the embossing system is placed on a die press. The first cover and the second cover are connected by a hinge 343 for being folded over and the pair of die plates 310 and 320 are held to their respective first and second covers 341 and 342 by Velcro adhesive material. See Figs. 24-27 and column 9, line 66 through column 10, line 37 in Hirano for details. However, the female die plates 310 Hirano may not be considered as a stencil as recited and Hirano uses Velcro adhesive material instead of a layer of static vinyl as recited. The patent to Hough teaches an embossing system for embossing articles the conventional use of a stencil 20 having perforations thereon to define an embossing pattern to be mated with the embossing pattern on the male die 18. See Figs. 1-5 in Hough for example. It would have been obvious to one of ordinary skill in the art to provide the embossing system of Hirano with the

stencil and form pair as taught by Hough in order to create a more defined embossed design on the embossing material. McLaughlin et al teach the conventionality of using high static vinyl material as the fastening element to releasably attach article surfaces together so that the article surfaces are capable of being repeatedly fastened, separated, and refastened. See column 3, lines 12-45 in McLaughlin et al for example. In view of the teaching of McLaughlin et al, it would have been obvious to those having ordinary skill in the art to provide the embossing system of Hirano, as modified by Hough with the high static vinyl material as the fastening means to releasably attach the stencil and the form to their respective covers so as to achieve a simple and effective way to repeatedly attach and detach the stencil and form to suit various embossing and decorating tasks.

Claims 1-22 and 24 are allowed.

Applicant's arguments filed on 4-6-2005 have been fully considered but they are not persuasive. Applicant's argument that McLaughlin does not teach nor suggest that the static vinyl material have the strength to support a form to a sleeve in an embossing system and therefore there is no indication or suggestion that the combination would be successful is not persuasive. First of all, McLaughlin teaches the use of static vinyl material as fastening means for their ability to be repeatedly used to releasably attach article surfaces together. Since Hirano already teaches to use Velcro material to releasably attach article surfaces together, the teaching of McLaughlin does provide motivation to use static vinyl as the fastening means to achieve a simple and effective way to repeatedly attach and detach the stencil and form to suit various embossing and decorating tasks. With regard to the strength of the static vinyl suitable for an embossing system, since applicants are using static vinyl as fastening means in their embossing

system, there should be no question that the static vinyl should be tough enough to carry out the embossing tasks. In paragraph [0027] of the present specification, applicants even suggested that a double sticky paper or fiber tape can be used as the fastening means. Evidently, the static vinyl material as taught by McLaughlin should be well capable of being used as the fastening means in the prior art combination as suggested in the above rejection.

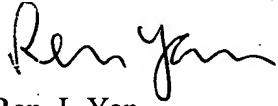
THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ren L Yan whose telephone number is 571-272-2173. The examiner can normally be reached on 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on 571-272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Ren L Yan
Primary Examiner
Art Unit 2854

Ren Yan
April 25, 2005